



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Consider Resolution Adopting Engineer's Report, Confirming Assessments, Overruling Protests and Declaring Assessment Ballot Results and Annexing Five Zones into the Lodi Consolidated Landscape Maintenance Assessment District 2003-1 and Forming Zones 8, 9, 10, 11, and 12

MEETING DATE: October 5, 2005

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council conduct a Public Hearing to consider a resolution for the following:

1. Adopting the Engineer's Report
2. Confirming assessments
3. Overruling protests and declaring assessment ballot results
4. Annexing five zones into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and forming Vintage Oaks Zone 8, Interlake Square Zone 9, Lakeshore Properties Zone 10, Tate Property Zone 11, and Winchester Woods Zone 12

BACKGROUND INFORMATION: On August 17, 2005, the City Council adopted the following resolutions regarding the formation of Zones 8 through 12 of the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1.

1. Resolution of Preliminary Approval of the Engineer's Report Regarding the Proposed Annexation of Territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and Levy and Collection of Assessments for Fiscal Year 2006/07
2. Resolution Declaring Intention to Annex Territory into Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and to Provide for the Levy and Collection of Assessments in Such Annexation, Setting a Time and Place for Public Hearing Thereon and Ordering the Initiation of Assessment Ballot Procedures
3. Resolution Initiating Proceedings for the Annexation of Territory into the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 and the Levy and Collection of Assessments for Certain Zones for Fiscal Year 2006/07

Ballots have been mailed to the existing property owners to comply with Proposition 218 requirements. The ballots will be tabulated and the results will be announced at the conclusion of the Public Hearing. In order for the assessment to be successful under Proposition 218 requirements, a majority of the landowners who vote (calculated in terms of dollars of assessment) must vote in favor of the proposals. If a majority vote is not received, the district will not be formed. At this time, there is a single owner for each subdivision.

APPROVED: 
Blair King, City Manager

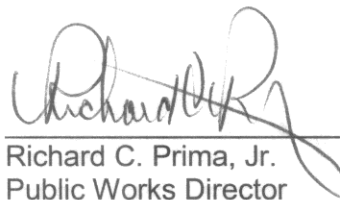
The developers of the Vintage Oaks (Zone 8), Interlake Square (Zone 9), Lakeshore Properties (Zone 10), Tate Property (Zone 11), and Winchester Woods (Zone 12) developments have elected to annex to the Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1 for the purpose of maintaining and/or replacing certain public improvements required to be installed in conjunction with those projects. The estimated annual assessment for 2006/07 and the maximum annual assessment per proposed lot or equivalent unit (EU) for each zone are tabulated below.

<u>Zone</u>	<u>2006/07 Assessment</u>	<u>Max. Annual Assessment</u>	<u>Improvements</u>
8	\$295.82	\$416.70	<ul style="list-style-type: none">• Reverse frontage landscaping• Median island landscaping• Street parkway trees• Public park maintenance
9	\$77.36	\$198.36	<ul style="list-style-type: none">• Street parkway trees• Public park maintenance
10	\$45.56	\$166.56	<ul style="list-style-type: none">• Public park maintenance
11	\$126.56	\$247.56	<ul style="list-style-type: none">• Reverse frontage landscaping• Median island landscaping• Street parkway trees• Public park maintenance
12	\$47.26	\$146.26	<ul style="list-style-type: none">• Public park maintenance

The maximum annual assessment is subject to a yearly cost adjustment based on the greater of either 5% or the percentage increase of the Local Consumer Price Index. Subsequent annual assessments will be based upon contract bid prices and actual costs, plus the Engineer's Report schedule of replacement costs.

FISCAL IMPACT: The purpose of the District is to collect funds to offset the fiscal impact of the maintenance and replacement of certain public improvements and increased park maintenance costs installed attributable to each development.

FUNDING AVAILABLE: The developers of each zone are funding construction of the landscape improvements, masonry wall, and parkway trees that will be maintained by the assessment for each zone and are paying for the engineering services provided by NBS of Temecula.


Richard C. Prima, Jr.
Public Works Director

Prepared by Wally Sandelin, City Engineer
RCP/FWS/pmf
Attachment
cc: D. Stephen Schwabauer, City Attorney
Tony Goehring, Parks and Recreation Director
George Bradley, Street Superintendent

City of Lodi

**Lodi Consolidated Landscape
Maintenance District No. 2003-1**

ZONE 8 – VINTAGE OAKS

ZONE 9 – INTERLAKE SQUARE

ZONE 10 – LAKESHORE PROPERTIES

ZONE 11 – TATE PROPERTY

ZONE 12 – WINCHESTER WOODS

2006/07 Final Engineer's Report

October 2005

Prepared by

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1. ENGINEER'S LETTER

WHEREAS, on August 17, 2005, the City Council of the City of Lodi (the "City"), State of California, directed NBS Government Finance Group, DBA NBS ("NBS") to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 (or the "District") for Fiscal Year 2006/07. The report includes a diagram for the District, showing the area and properties proposed to be assessed, an assessment of the estimated costs of the maintenance, operations and servicing the improvements, and the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received;

NOW THEREFORE, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received:

SUMMARY OF ASSESSMENT

Description	2006/07 Assessment	Maximum Assessment	As Confirmed by Council
Vintage Oaks - Zone 8 Levy	\$5,029.00	\$7,084.00	
Zone 8 Equivalent Units	17	17	
Assessment Per Equivalent Unit	\$ 295.82	\$ 416.70	
Interlake Square - Zone 9 Levy	\$851.00	\$2,182.00	
Zone 9 Equivalent Units	11	11	
Assessment Per Equivalent Unit	\$ 77.36	\$ 198.36	
Lakeshore Properties - Zone 10 Levy	\$319.00	\$1,166.00	
Zone 10 Equivalent Units	7	7	
Assessment Per Equivalent Unit	\$ 45.56	\$ 166.56	
Tate Property - Zone 11 Levy	\$886.00	\$1,733.00	
Zone 11 Equivalent Units	7	7	
Assessment Per Equivalent Unit	\$ 126.56	\$ 247.56	
Winchester Woods - Zone 12 Levy	\$378.00	\$1,170.00	
Zone 12 Equivalent Units	8	8	
Assessment Per Equivalent Unit	\$ 47.26	\$ 146.26	

I, the undersigned, respectfully submit the enclosed Engineer's Report and, to the best of my knowledge, information and belief, the Engineer's Report, Assessments, and the Assessment Diagram herein have been prepared and computed in accordance with the order of the City Council of the City of Lodi.

Wally Sandelin, P.E., Engineer of Work

Date: _____

Seal

2. OVERVIEW

2.1 Introduction

The City of Lodi ("City") proposes to levy special benefit assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1 ("District") for Fiscal Year 2006/07. The City currently has consolidated seven landscape maintenance districts into a single district, the "Lodi Consolidated Landscape Maintenance District No. 2003-1". In response to the provisions of the California Constitution Article XIII C and XIID (Proposition 218), in 2003 a separate Engineer's Report was prepared for each of the first two Zones (Zones 1 and 2) of the Lodi Consolidated Landscape Maintenance District. The City conducted property owner balloting proceedings for the assessments in Fiscal Year 2004/05. After approval of the assessment by the property owners, the City began to levy and collect special assessments on the County tax rolls to provide continued funding for the costs and expenses required for maintenance of the improvements within the District. In 2004 a separate Engineer's Report was prepared for each of the next five Zones (Zones 3 thru 7) of the Lodi Consolidated Landscape Maintenance District. The City conducted property owner balloting proceedings for Zones 3 and 4 for the assessments in Fiscal Year 2004/05 and the City conducted property owner balloting proceedings for Zones 5 through 7 for the assessments in Fiscal Year 2005/06. After approval of the assessment by the property owners, the City will levy and collect special assessments on the County tax rolls to provide continued funding for the costs and expenses required for maintenance of the improvements within the District. The District is levied pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the Act), and in compliance with the substantive and procedural requirements of the California Constitution Article XIID.

This Engineer's Report ("Report") describes the District and assessments to be levied against properties within the District for Fiscal Year 2006/07. The assessments described herein are based on the estimated cost to operate service and maintain improvements that will provide a direct and special benefit to properties within the District. All improvements to be operated, serviced and maintained through annual assessments were constructed and installed in connection with the development or for the benefit of these properties. The annual costs and assessments described herein include all estimated direct expenditures, incidental expenses, deficits, surpluses, revenues, and reserves associated with the maintenance and servicing of the improvements.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number by the County of San Joaquin Assessor's Office. The County of San Joaquin Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed on the tax roll for special district benefit assessments.

At a noticed Public Hearing, the City Council considered all public comments and written protests presented. Upon conclusion of the Public Hearing, the City Council determined that no valid protest existed. By resolution, the City Council approved the Engineer's Report as submitted or amended (amendments may not increase the assessments approved by the property owners). Following approval of the Report, the City Council, by resolution, confirmed the assessments and ordered the levy and collection of assessments pursuant to the Act. The assessments as approved will be submitted to the San Joaquin County Auditor/Controller to be included on the property tax roll for each parcel for Fiscal Year 2006/07.

2.2 *Effect of Proposition 218*

On November 5, 1996, California voters approved proposition 218 by a margin of 56.5% to 43.5%. The provisions of the Proposition, now California Articles XIII C and XIII D, add substantive and procedural requirements to assessments, which affect the City of Lodi landscape maintenance assessments.

The proposed assessments for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 for Fiscal Year 2006/07 are not proposed to increase over the annual rate escalation factor of the annual San Francisco Bay Area C.P.I. or 5%, which ever is greater, which was approved by property owners following the assessment balloting procedures set forth in Section 4 SEC. 4 of the Proposition.

3. PLANS AND SPECIFICATIONS

During the installation period for each Zone within the Lodi Consolidated Landscape Maintenance District No. 2003-1, the installer of the improvements will maintain the new improvements until the following June 30, or such time as funds are available for maintenance, at which time the new areas shall be incorporated into the areas already being maintained by the District.

3.1 Description of Facilities for Zone 8

Zone 8 is comprised of the Vintage Oaks subdivision and the adjacent parcel to the north (APN 058-230-05); the facilities within Zone 8 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. A masonry wall and 13.5' irrigated landscaping strip, including a 4-foot wide sidewalk, extending north and south of the future Vintage Oaks Court along the east side of S. Lower Sacramento Road for a total distance of approximately 252 linear feet.
- B. A 9.5' irrigated landscape strip in the east half of the Lower Sacramento Road median, west of the District Zone 8 boundary.
- C. Street parkway trees located within the public street (Vintage Oaks Court) within the District Zone 8 boundary.
- D. Public park land area of 0.15895 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 8 consists of a 15-lot low-density residential development (Vintage Oaks) and a 2-lot low-density residential development (APN 058-230-05) bounded by DeBenedetti Park (APN 058-230-05) to the North, the Sunnyside Estates development to the South, Ellerth E. Larson Elementary School to the East and Lower Sacramento Road to the West. Each lot benefits equally from the facilities within Zone 8. Zone 8, when developed, will include 17 Dwelling Unit Equivalents (DUE).

3.2 Description of Facilities for Zone 9

Zone 9 is comprised of the Interlake Square subdivision; the facilities within Zone 9 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. Street parkway trees located within the public rights-of-way of School Street and Park Street within the Zone 9 boundary.
- B. Public park land area of 0.10285 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 9 consists of an 11-lot low-density residential development (Interlake Square) located north of Park Street, generally south of Sierra Vista Place, east of South School Street and generally west of Sacramento Street. Each lot benefits equally from the facilities within Zone 9. Zone 9, when subdivided, will include 11 Dwelling Unit Equivalents (DUE).

3.3 Description of Facilities for Zone 10

Zone 10 is comprised of the Lakeshore Properties subdivision; the facilities within Zone 10 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. Public park land area of 0.06545 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 10 consists of a 7-lot low-density residential development (Lakeshore Properties) located on the southwest corner of the Lakeshore Drive/Tienda Drive intersection within the City of Lodi. Each lot benefits equally from the facilities within Zone 10. Zone 10, when subdivided, will consist of 7 Dwelling Unit Equivalents (DUE).

3.4 Description of Facilities for Zone 11

Zone 11 is comprised of the Tate Property development; the facilities within Zone 11 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. A masonry wall and 13.5' irrigated landscaping strip, including a 4-foot wide sidewalk, along the north side of Harney Lane, immediately east of Legacy Way, approximately 140 feet in length.
- B. Street parkway trees located within the public street (Legacy Way) within the District Zone 11 boundary.
- C. Public park land area of 0.06545 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 11 consists of a 7-lot low-density residential development located in the northeast corner of the Harney Lane/Legacy Way intersection within the City of Lodi. Each lot will benefit equally from the facilities within Zone 11. Zone 11, when subdivided, will consist of 7 Dwelling Unit Equivalents (DUE).

3.5 Description of Facilities for Zone 12

Zone 12 is comprised of the Winchester Woods subdivision; the facilities within Zone 12 of the Lodi Consolidated Landscape Maintenance District No. 2003-1 that will be operated, serviced, maintained and improved are generally described as follows:

- A. Public park land area of 0.0612 acres in size equivalent to the current level of service standard for park area within the City of 3.4 acres per thousand persons served.

Zone 12 consists of an 8-lot medium-density residential development located generally south of Wimbledon Drive, east of The Oaks apartment complex (APN 060-220-29) and west of Winchester Drive in the southeasterly portion of the City of Lodi. Each lot will benefit equally from the facilities within Zone 12. Zone 12, when subdivided, will consist of 8 Dwelling Unit Equivalents (DUE)

4. METHOD OF APPORTIONMENT

4.1 Method of Apportionment

Pursuant to the 1972 Act the costs (assessments) of the District are apportioned by a formula or method that fairly distributes the net amount to be assessed among all parcels in proportion to benefits received from the improvements. The provisions of Article XIIC and XIID of the California Constitution (Proposition 218) require the agency to separate the general benefit from special benefit, whereas only special benefits may be assessed.

IMPROVEMENT BENEFIT FINDINGS

The annual assessments outlined in the Budget section of this Report are proposed to cover the estimated costs to provide all necessary service, operation, administration and maintenance within the District, by Zone. It has been determined that each assessable parcel within the District receives proportional special benefits from the improvements. All improvements to be maintained and funded through annual assessments were constructed and installed in connection with the development of properties within the District, and each parcel's close and relatively similar proximity to the improvements makes each parcel's special benefit from the improvements similar and proportionate. All the lots and parcels that receive special benefit from the improvements are included within the District.

SPECIAL BENEFITS

The method of apportionment (method of assessment) is based on the premise that each of the assessed parcels within the District receives special benefit from the improvements maintained and financed by District assessments. Specifically, the assessments associated with each Zone are outlined, by Zone, in Section 3 of this Report.

DESCRIPTION OF THE METHOD OF APPORTIONMENT

The District provides operation, service and maintenance to all the specific local improvements and associated appurtenances located within the public right-of-ways in each of the various Zones throughout the District. The annual assessments are based on the historical and estimated cost to operate, to service and to maintain the improvements that provide a special benefit to properties within the District and Zones. The various improvements within each Zone are identified and budgeted separately, including all expenditures, deficits, surpluses, revenues, and reserves.

The assessments outlined in this section represent the proportionate special benefit to each property within the District and the basis of calculating each parcel's proportionate share of the annual costs associated with the District/Zone improvements. The costs associated with the maintenance and operation of special benefit improvements shall be collected through annual assessments from each parcel receiving such benefit. The funds collected shall be dispersed and used for only the services and operation provided to the District.

The basis of determining each parcel's special benefit utilizes a weighting formula commonly known as a Dwelling Unit Equivalent Factor (dueF). The developed single-family residential parcel is used as the base unit for calculation of assessments and is defined as one (1.00) dueF. All other property types are assigned a dueF that reflects their proportional special benefit from the improvements as compared to the single-family residential parcel (weighted comparison).

To determine the dueF for commercial/office parcels, and multiple-residential (greater than 3 units) parcels, a Benefit Unit Factor (BUF) is assigned to each property type. This BUF multiplied by the parcel's specific acreage determines the parcel's specific dueF. For those commercial/office parcels that are less than 7.5 acres, the corresponding BUF is multiplied by a minimum acreage of 7.5 acres. For those non-residential parcels that are greater than 15.00 acres the corresponding BUF is multiplied by a maximum of 15.00 acres. The following table provides a listing of the various land use types and the corresponding BUF used to calculate a parcel's EDU and proportionate benefit:

4.2 Land Use Benefit Factors

PROPERTY TYPE LAND USE	ASSIGNED BENEFIT UNIT FACTOR
Single Family Residential	1.00 per Unit
Multiple Family Residential (duplex)	2.00 per Unit
Multiple Family Residential (greater than 3 units)	5.00 per Acre
Commercial/Office	
For the First 7.5 Acres	5.00 per Acre
For the Next 7.5 Acres	2.50 per Acre
For All Acreage Over 15 Acres	1.25 per Acre
Exempt	0.00
Other Uses	The dueF Will Be Established As Required

Exempt – Certain parcels, by reason of use, size, shape or state of development, may be assigned a zero dueF which will consequently result in a zero assessment for those parcels for that fiscal year. All parcels having such a zero dueF for the previous fiscal year shall annually be reconsidered to determine if the reason for assigning the zero dueF is still valid for the next fiscal year. Parcels which may be expected to have a zero dueF assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

Area Adjustments – Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the dueF, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

As noted previously, the District is divided into Zones. These Zones encompass specific developments where the properties receive a direct and special benefit from the operation, service and maintenance of those improvements. The basis of benefit and proportionate assessment for all properties within the District is established by each parcel's calculated dueF and their proportionate share of the improvement costs based on their proportionate dueF within the Zone. The method used to calculate the assessments for each Zone is as follows:

$$\text{Total Balance to Levy} / \text{Total dueF} = \text{Levy per dueF (Levy Rate)}$$

$$\text{Parcel's dueF} \times \text{Levy per dueF (Levy Rate)} = \text{Parcel Levy Amount}$$

ASSESSMENT RANGE FORMULA

Any new or increase in assessments require certain noticing and meeting requirements by law. Prior to the passage of Proposition 218, legislative changes in the Brown Act defined the definition of “new or increased assessment” to exclude certain conditions. These conditions included “any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed.” This definition and conditions were later confirmed through SB919 (Proposition 218 implementing legislation).

The purpose of establishing an assessment range formula is to provide for reasonable increases and inflationary adjustments to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District's proposed assessment for Fiscal Year 2003/04 and Fiscal Year 2004/05, balloting of property owners was required, pursuant to Proposition 218. The property owner ballots included an assessment to be approved, as well as the approval of an assessment range formula. Property owners within the District approved the proposed assessment and the assessment range formula.

The assessment range formula shall be applied to all future assessments within the District. Generally, if the proposed annual assessment (levy per unit or rate) for the current fiscal year is less than or equal to the “Maximum Assessment” (or “Adjusted Maximum Assessment”), then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment approved by property owners adjusted annually by the following criteria:

1. Beginning in the second fiscal year (Fiscal Year 2007/08) and each fiscal year thereafter, the Maximum Assessment will be recalculated annually.
2. The new adjusted Maximum Assessment for the year represents the prior year's Maximum Assessment adjusted by the greater of:
 - (a) Five percent (5.0%); or,
 - (b) The annual increase in the Consumer Price Index (CPI).

Each year the annual increase in the CPI shall be computed. The increase in CPI is the percentage difference between the CPI of December of any given year and the CPI for the previous December as provided and established by the Bureau of Labor Statistics (example: Fiscal Year 2005/06 CPI increase is 2.2% over December 2004). This percentage difference (annual difference) shall then establish the allowed increase based on CPI. The Consumer Price Index used shall be based on the CPI established by the Bureau of Labor Statistics for all urban consumers for the San Francisco-Oakland-San Jose Area. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

If CPI is less than five percent (5.0%), then the allowable adjustment to the Maximum Assessment is five percent. If CPI is greater than five percent (5.0%), then the allowable adjustment to the Maximum Assessment is based on CPI. The Maximum Assessment is adjusted annually and is calculated independent of the District's annual budget and proposed annual assessment. Any proposed annual assessment (rate per levy unit) less than or equal to this Maximum Assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

The following table illustrates how the assessment range formula shall be applied. For example, if the percentage change in CPI is greater than five percent (5.0%), as in Example 1, then the percentage adjustment to the Maximum Assessment will be by CPI. If the percentage change in CPI is less than five percent (5.0%), as in Example 2, then the percentage adjustment to the Maximum Assessment will be five percent (5.0%).

Examples of Percentage Increases

Example	CPI Calculated Percentage Increase	Standard 5% Increase	Maximum % Increase Without Re- Balloting	Prior Years Maximum Rate Per dueF	Allowed Adjustment Per dueF	Allowed New Maximum Rate Per dueF
1	5.25%	5.00%	5.25%	\$347.00	18.22	\$365.22
2	2.20%	5.00%	5.00%	\$347.00	17.35	\$364.35

As previously illustrated, the Maximum Assessment will be recalculated and adjusted annually. However, the City Council may reduce or freeze the Maximum Assessment at any time by amending the Engineer's Annual Report.

Although the Maximum Assessment will normally increase each year, the actual District assessments may remain virtually unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on District assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment, nor does it restrict assessments to the adjusted maximum amount. If the budget and assessments for the fiscal year does not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment then the assessment is considered an increased assessment. To impose an increased assessment the City Council must comply with the provisions of Proposition 218 (Article XIID Section 4c of the California Constitution). Proposition 218 requires a Public Hearing and certain protest procedures including mailed notice of the Public Hearing and property owner protest balloting. Property owners, through the balloting process, must approve the proposed assessment increase. If the proposed assessment is approved, then a new Maximum Assessment is established for the District. If the proposed assessment is not approved, the City Council may not levy an assessment greater than the adjusted Maximum Assessment previously established for the District.

5. ESTIMATE OF COSTS

5.1 Description of Budget Items

The following items make up the Estimate of Costs used in determining the Annual Assessments of the District. The specific Zones within the District are shown in Section 3 of this Report. Definitions of maintenance items, words and phrases are shown below:

Fiscal Year – One year period of time beginning July 1st of a given year and ending June 30th of the following year.

Landscape Maintenance Labor – The estimated cost of labor necessary for maintaining and servicing the trees, shrubs, turf and ground cover areas within the District.

Maintenance Materials & Supplies – The estimated cost of materials necessary for maintaining, cleaning and servicing the landscaped areas and parklands within the District.

Irrigation Water – The cost of water used for irrigating the landscaping improvements of the District.

Utilities – The cost of electricity used for irrigation within the District.

Equipment Maintenance & Operation – The cost of materials and labor necessary for maintaining, repairing, and operating equipment (includes vehicles, benches, playground equipment, graffiti and litter removal, etc.) used for all aspects of maintenance in the District.

Maintenance Personnel – The estimated cost for District personnel to perform maintenance duties within the District.

Contract Maintenance – The estimated cost to perform contracted maintenance duties within the District.

Consultants – Costs associated with outside consultant fees in order to comply with Assessment Law and placement of assessment onto the San Joaquin County Tax Roll each year.

County Administration – Costs of the County of San Joaquin related to the placement of assessments on the tax roll each year.

Insurance – The estimated costs to provide insurance for District personnel and staff.

Reserves/Contingencies – An amount of 50% of the maintenance costs may be included to build a Reserve and Contingency Fund. The Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500, allows the District assessments to "...include a reserve which shall not exceed the estimated costs of maintenance and servicing to December 10 of the fiscal year, or whenever the city expects to receive its apportionment of special assessments and tax collections from the county, whichever is later."

Total Parcels – Represents the total number of parcels physically within the District/Zone boundaries.

Total Dwelling Unit Equivalent Factor – Dwelling Unit Equivalent Factor (dueF) is a numeric value calculated for each parcel based on the parcel's land use. The dueF shown in the District/Zone budget represents the sum total of all parcel dueF's that receive benefit from the improvements. Refer to Section III for a more complete description of dueF's.

Levy per dueF – This amount represents the rate being applied to each parcel's individual dueF. The Levy per Dwelling Unit Equivalent Factor, is the result of dividing the total Balance to Levy, by the sum of the District dueF's, for the fiscal year. This amount is always rounded down to the nearest even penny for tax bill purposes.

5.2 District Budget

Zone 8 – Vintage Oaks Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: ⁽¹⁾	\$1,368.00	\$1,368.00
MASONRY BLOCK WALLS:	300.00	300.00
STREET TREES:	468.00	468.00
PARK MAINTENANCE:	1,869.00	0.00
ADMINISTRATION COSTS: ⁽²⁾	<u>1,454.00</u>	<u>1,268.00</u>
BUDGET TOTAL	\$5,459.00	\$3,404.00
CONTRIBUTION FROM RESERVES:	(0.00)	(0.00)
CONTRIBUTION TO RESERVES: ⁽³⁾	<u>1,625.00</u>	<u>1,625.00</u>
BALANCE TO LEVY:	\$7,084.00	\$5,029.00

⁽¹⁾ Includes landscape maintenance, repair, replacement, water and electricity costs.

⁽²⁾ Includes Consultants, City & County administration, publication costs and contingency.

⁽³⁾ Includes landscape and masonry wall replacement costs.

Zone 9 – Interlake Square

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: ⁽¹⁾	\$0.00	\$0.00
MASONRY BLOCK WALLS:	0.00	0.00
STREET TREES:	244.00	244.00
PARK MAINTENANCE:	1,210.00	0.00
ADMINISTRATION COSTS: ⁽²⁾	<u>728.00</u>	<u>607.00</u>
BUDGET TOTAL	\$2,182.00	\$ 851.00
CONTRIBUTION FROM RESERVES:	(0.00)	(0.00)
CONTRIBUTION TO RESERVES: ⁽³⁾	<u>0.00</u>	<u>0.00</u>
BALANCE TO LEVY:	\$2,182.00	\$ 851.00

⁽¹⁾ Includes landscape maintenance, repair, replacement, water and electricity costs.

⁽²⁾ Includes Consultants, City & County administration, publication costs and contingency.

⁽³⁾ Includes landscape and masonry wall replacement costs.

Zone 10 – Lakeshore Properties Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: ⁽¹⁾	\$0.00	\$0.00
MASONRY BLOCK WALLS:	0.00	0.00
STREET TREES:	0.00	0.00
PARK MAINTENANCE:	770.00	0.00
ADMINISTRATION COSTS: ⁽²⁾	<u>396.00</u>	<u>319.00</u>
BUDGET TOTAL	\$1,166.00	\$ 319.00
CONTRIBUTION FROM RESERVES:	(0.00)	(0.00)
CONTRIBUTION TO RESERVES: ⁽³⁾	<u>0.00</u>	<u>0.00</u>
BALANCE TO LEVY:	\$1,166.00	\$ 319.00

⁽¹⁾ Includes landscape maintenance, repair, replacement, water and electricity costs.

⁽²⁾ Includes Consultants, City & County administration, publication costs and contingency.

⁽³⁾ Includes landscape and masonry wall replacement costs.

Zone 11 – Tate Property Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: ⁽¹⁾	\$186.00	\$186.00
MASONRY BLOCK WALLS:	23.00	23.00
STREET TREES:	102.00	102.00
PARK MAINTENANCE:	770.00	0.00
ADMINISTRATION COSTS: ⁽²⁾	<u>515.00</u>	<u>438.00</u>
BUDGET TOTAL	\$1,596.00	\$ 749.00
CONTRIBUTION FROM RESERVES:	(0.00)	(0.00)
CONTRIBUTION TO RESERVES: ⁽³⁾	<u>137.00</u>	<u>137.00</u>
BALANCE TO LEVY:	\$1,733.00	\$ 886.00

⁽¹⁾ Includes landscape maintenance, repair, replacement, water and electricity costs.

⁽²⁾ Includes Consultants, City & County administration, publication costs and contingency.

⁽³⁾ Includes landscape and masonry wall replacement costs.

Zone 12 – Winchester Woods Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: ⁽¹⁾	\$0.00	\$0.00
MASONRY BLOCK WALLS:	0.00	0.00
STREET TREES:	0.00	0.00
PARK MAINTENANCE:	720.00	0.00
ADMINISTRATION COSTS: ⁽²⁾	<u>450.00</u>	<u>378.00</u>
BUDGET TOTAL	\$1,170.00	\$ 378.00
CONTRIBUTION FROM RESERVES:	(0.00)	(0.00)
CONTRIBUTION TO RESERVES: ⁽³⁾	<u>0.00</u>	<u>0.00</u>
BALANCE TO LEVY:	\$1,170.00	\$ 378.00

(1) Includes landscape maintenance, repair, replacement, water and electricity costs.

(2) Includes Consultants, City & County administration, publication costs and contingency.

(3) Includes landscape and masonry wall replacement costs.

Total District Budget

ACCOUNT DESCRIPTION	MAXIMUM ASSESSMENT	2006/07 BUDGET
OPERATION COSTS: ⁽¹⁾	\$1,554.00	\$1,554.00
MASONRY BLOCK WALLS:	323.00	323.00
STREET TREES:	814.00	814.00
PARK MAINTENANCE:	5,339.00	0.00
ADMINISTRATION COSTS: ⁽²⁾	<u>3,543.00</u>	<u>3,010.00</u>
BUDGET TOTAL	\$11,573.00	\$5,701.00
CONTRIBUTION FROM RESERVES:	(0.00)	(0.00)
CONTRIBUTION TO RESERVES: ⁽³⁾	<u>1,762.00</u>	<u>1,762.00</u>
BALANCE TO LEVY:	\$13,335.00	\$7,463.00

(1) Includes landscape maintenance, repair, replacement, water and electricity costs.

(2) Includes Consultants, City & County administration, publication costs and contingency.

(3) Includes landscape and masonry wall replacement costs.

5.3 Landscape & Wall Reserve Information

Zone 8 Landscape & Wall Reserve Information

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Landscape Reserve	990.00
LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 990.00
Wall Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Wall Reserve	635.00
WALL RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 635.00
TOTAL RESERVES ENDING BALANCE – JUNE 30, 2007	\$1,625.00

Zone 9 Landscape Reserve Information

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance – June 30, 2006	\$0.00
Contribution to Landscape Reserves	0.000
LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 0.00

Zone 10 Landscape Reserve Information

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance – June 30, 2006	\$0.00
Contribution to Landscape Reserves	0.00
LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 0.00

Zone 11 Landscape & Wall Reserve Information

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Landscape Reserve	39.00
LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 39.00
Wall Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Wall Reserve	\$98.00
WALL RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 98.00
TOTAL RESERVES ENDING BALANCE – JUNE 30, 2007	\$ 137.00

Zone 12 Landscape Reserve Information

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance – June 30, 2006	\$0.00
Contribution to Landscape Reserves	0.00
LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 0.00

Total District Landscape & Wall Reserve Information

DESCRIPTION	AMOUNT
Landscape Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Landscape Reserve	1,029.00
LANDSCAPE RESERVE ENDING BALANCE – JUNE 30, 2007	\$1,029.00
Wall Reserve Beginning Balance– June 30, 2006	\$0.00
Contribution to Wall Reserve	733.00
WALL RESERVE ENDING BALANCE – JUNE 30, 2007	\$ 733.00
TOTAL RESERVES ENDING BALANCE – JUNE 30, 2007	\$1,762.00

6. ASSESSMENT DIAGRAMS

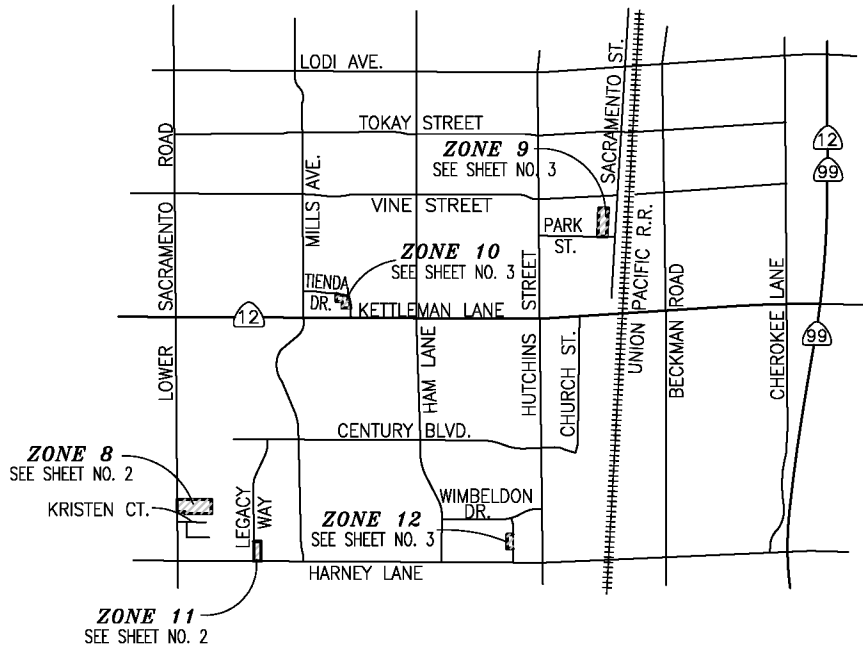
Assessment Diagrams for the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 have been submitted to the City Clerk in the format required under the provisions of the Act and, by reference, are made part of this Report. The lines and dimensions shown on maps of the County Assessor of the County of San Joaquin, Assessors parcel maps for the current year, are shown as follow:

ASSESSMENT DIAGRAM

LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1

ZONES 8-12

CITY OF LODI
SAN JOAQUIN
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS ____
DAY OF _____, 200__.

CITY CLERK
CITY OF LODI
SAN JOAQUIN COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN DIAGRAM SHOWING THE PROPOSED ANNEXATION INTO THE CITY OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1, CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LODI AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 200__, BY ITS RESOLUTION NO. _____

CITY CLERK
CITY OF LODI
SAN JOAQUIN COUNTY, CALIFORNIA

FILED THIS ____ DAY OF _____, 200__, AT THE HOUR OF ____ O'CLOCK ____, M., IN BOOK ____ AT PAGE ____ OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

DEPUTY
COUNTY RECORDER
COUNTY OF SAN JOAQUIN

NOTE: FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL WITHIN THE DISTRICT REFER TO THE COUNTY OF SAN JOAQUIN ASSESSOR'S MAPS.

LEGEND

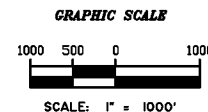
____ ANNEXATION BOUNDARY/ BENEFIT ZONE BOUNDARY

(ANXI-17) ASSESSMENT NUMBER

N B S

41661 Enterprise Circle North, Suite 225
Temecula, CA 92590

Local Government Solutions

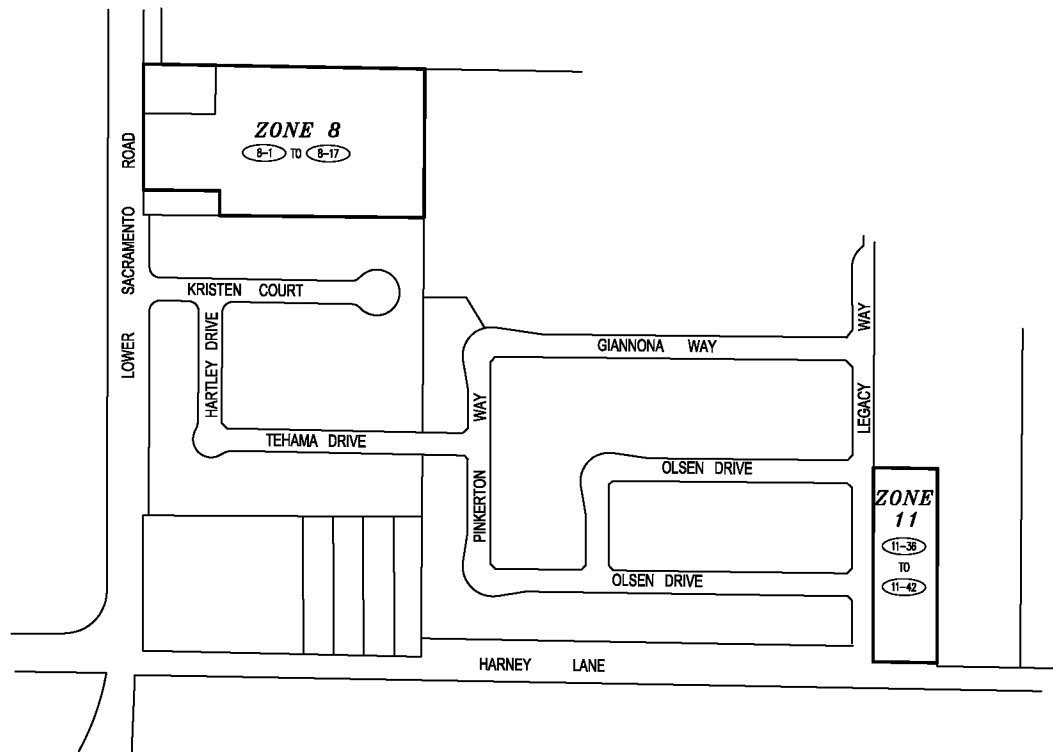


ASSESSMENT DIAGRAM

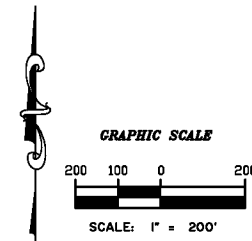
LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1

ZONES 8-12

CITY OF LODI
COUNTY OF SAN JOAQUIN
STATE OF CALIFORNIA



ASSESSMENT ID		
Zone	Assessment Number	APN
8	8-1	POR. OF 058-230-03
8	8-2	POR. OF 058-230-03
8	8-3	POR. OF 058-230-03
8	8-4	POR. OF 058-230-03
8	8-5	POR. OF 058-230-03
8	8-6	POR. OF 058-230-03
8	8-7	POR. OF 058-230-03
8	8-8	POR. OF 058-230-03
8	8-9	POR. OF 058-230-03
8	8-10	POR. OF 058-230-03
8	8-11	POR. OF 058-230-03
8	8-12	POR. OF 058-230-03
8	8-13	POR. OF 058-230-03
8	8-14	POR. OF 058-230-03
8	8-15	POR. OF 058-230-03
8	8-16	POR. OF 058-230-05
8	8-17	POR. OF 058-230-05
11	11-36	POR. OF 058-230-14
11	11-37	POR. OF 058-230-14
11	11-38	POR. OF 058-230-14
11	11-39	POR. OF 058-230-14
11	11-40	POR. OF 058-230-14
11	11-41	POR. OF 058-230-14
11	11-42	POR. OF 058-230-14



LEGEND

- ASSESSMENT DISTRICT BOUNDARY
- PARCEL LINES
- ASSESSMENT NUMBER

NBS

41661 Enterprise Circle North, Suite 225
Temecula, CA 92590

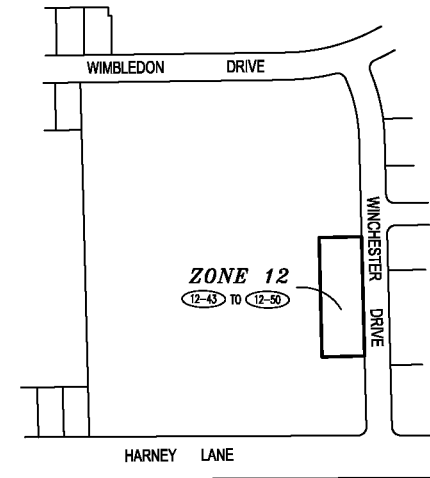
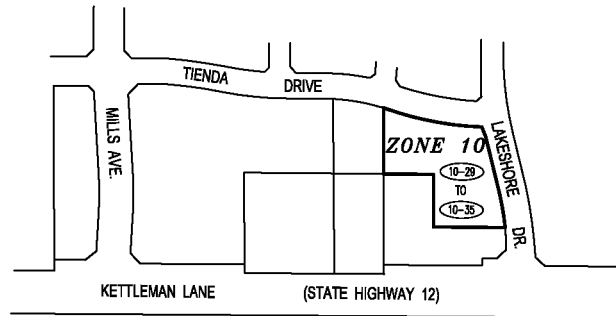
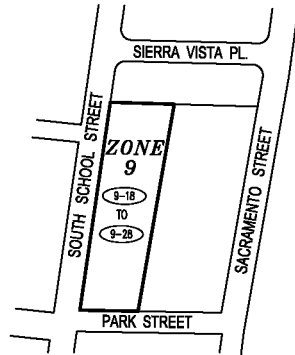
Local Government Solutions

ASSESSMENT DIAGRAM

LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1

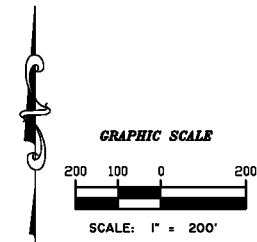
ZONES 8-12

CITY OF LODI
COUNTY OF SAN JOAQUIN
STATE OF CALIFORNIA



ASSESSMENT ID

Zone	Assessment Number	APN
9	9-18	POR. OF 045-260-07
9	9-19	POR. OF 045-260-07
9	9-20	POR. OF 045-260-07
9	9-21	POR. OF 045-260-07
9	9-22	POR. OF 045-260-07
9	9-23	POR. OF 045-260-07
9	9-24	POR. OF 045-260-07
9	9-25	POR. OF 045-260-07
9	9-26	POR. OF 045-260-07
9	9-27	POR. OF 045-260-07
9	9-28	POR. OF 045-260-07
10	10-29	POR. OF 031-040-42
10	10-30	POR. OF 031-040-42
10	10-31	POR. OF 031-040-42
10	10-32	POR. OF 031-040-42
10	10-33	POR. OF 031-040-42
10	10-34	POR. OF 031-040-42
10	10-35	POR. OF 031-040-42
12	12-43	POR. OF 060-220-28
12	12-44	POR. OF 060-220-28
12	12-45	POR. OF 060-220-28
12	12-46	POR. OF 060-220-28
12	12-47	POR. OF 060-220-28
12	12-48	POR. OF 060-220-28
12	12-49	POR. OF 060-220-28
12	12-50	POR. OF 060-220-28



NBS

41661 Enterprise Circle North, Suite 225
Temecula, CA 92590

Local Government Solutions

LEGEND

- ASSESSMENT DISTRICT BOUNDARY
- PARCEL LINES
- ASSESSMENT NUMBER

7. PARCEL LISTING

The parcel listing of assessments is provided on the following pages by Zone. The description of each lot or parcel as part of the records of the County Assessor of the County of San Joaquin are, by reference, made part of this Report.

ZONE	APN	ASSESSMENT PER dueF	PARCEL dueF	FISCAL YEAR 2006/07 ASSESSMENT
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-03	\$295.82	1	\$295.82
8	por. of 058-230-05	\$295.82	1	\$295.82
8	por. of 058-230-05	\$295.82	<u>1</u>	<u>\$295.82</u>
			17	\$5,028.94
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	1	\$77.36
9	por. of 045-260-07	\$77.36	<u>1</u>	<u>\$77.36</u>
			11	\$850.96
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	1	\$45.56
10	por. of 031-040-42	\$45.56	<u>1</u>	<u>\$45.56</u>

ZONE	APN	ASSESSMENT PER dueF	PARCEL dueF	FISCAL YEAR 2006/07 ASSESSMENT
			7	\$318.92
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	1	\$126.56
11	por. of 058-230-14	\$126.56	<u>1</u>	<u>\$126.56</u>
			7	\$885.92
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	1	\$47.24
12	por. of 060-220-28	\$47.24	<u>1</u>	<u>\$47.24</u>
			8	\$377.92
TOTAL:	PARCELS		50	\$7,462.66

RESOLUTION NO. 2005-216

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, COUNTY OF SAN JOAQUIN, DECLARING THE RESULTS OF THE ASSESSMENT BALLOT TABULATION, TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1, ORDERING MAINTENANCE WORK THEREIN AND CONFIRMING THE REPORT, DIAGRAM, AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT THEREIN

=====

WHEREAS, the City Council of the City of Lodi has initiated proceedings for the annexation of territory and levy of annual assessments in a special maintenance district created pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIIID of the Constitution of the State of California ("Article XIIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIIID, and the Implementation Act may be referred to collectively herein as the "Assessment Law"), such special assessment district annexation known and designated as City of Lodi Consolidated Landscape Maintenance District No. 2003-1 (the "District"). The areas proposed to be annexed will become Zones within the District. Such Zones shall be known and designated as:

ZONE 8 – VINTAGE OAKS

ZONE 9 – INTERLAKE SQUARE

ZONE 10 – LAKESHORE PROPERTIES

ZONE 11 – TATE PROPERTY

ZONE 12 – WINCHESTER WOODS

WHEREAS, the City Council did order and subsequently receive a report prepared by NBS (the "Assessment Engineer") prepared in accordance with the Assessment Law (the "Engineer's Annexation and Annual Levy Report"); and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and is satisfied with the proposed annexation, each and all of the budgets items and documents as set forth therein, and is satisfied that the levy amounts have been spread in accordance with the special benefit received from the improvements, operation, maintenance, and services to be performed within the District, as set forth in said Report; and

WHEREAS, the City Council did set the time and place for a public hearing to consider the proposed District and the authorization to levy annual assessments therein and did order that notice of such public hearing accompanied by assessment ballots be given to the record owners of property within the proposed District in accordance with the provisions of the Assessment Law; and

WHEREAS, notice of such public hearing accompanied by assessment ballots were mailed to the record owners of property within the proposed District in accordance with the provisions of the Assessment Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. RECITALS: The above recitals are all true and correct.

SECTION 2. PROCEDURES: This City Council hereby finds and determines that the procedures for the consideration of the levy of the assessments have been undertaken in accordance with the Assessment Law.

SECTION 3. ASSESSMENT BALLOT PROCEDURES: Assessment ballots were mailed as required by Assessment Law to the record owners of all properties within the District, which are proposed to be assessed. The assessment ballots that were completed and received by the City Clerk prior to the close of the public hearing have been tabulated in accordance with the procedures established by Assessment Law and this City Council, and the results of such tabulation have been submitted to this City Council.

This City Council hereby finds that the assessment ballots submitted in favor of the levy of assessments as weighted in accordance with Assessment Law exceed the assessment ballots submitted in opposition to such levy also as weighted in accordance with Assessment Law. Therefore, no majority protest to the levy of assessments within the District has been found to exist.

SECTION 4. ANNEXATION OF TERRITORY: This City Council hereby orders the annexation of territory into the District.

SECTION 5. DETERMINATION AND CONFIRMATION: Based upon the Assessment Engineer's Report and the testimony and other evidence presented at the public hearing, the City Council hereby makes the following determinations regarding the assessments proposed to be imposed for Fiscal Year 2006-07 and the maximum annual assessments proposed to be imposed to pay for the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance of thereof:

- a. The proportionate special benefit derived by each individual parcel assessed has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- c. Only the special benefits have been assessed.

The assessments for the District contained in the Assessment Engineer's Report for Fiscal Year 2006-07 are hereby confirmed and levied upon the respective lots or parcels in the District in the amounts as set forth in such Final Assessment Engineer's Report. Subsequent annual assessments in amounts not to exceed the maximum annual assessment of the estimated costs of the maintenance of all of the improvements to ultimately be maintained upon the completion and acceptance thereof as set forth in the Final Assessment Engineer's Report may be subsequently confirmed and levied without further assessment ballot proceedings pursuant to the Assessment Law. As of December of each fiscal year after the base year (Fiscal Year 2006-07), the maximum amount of each assessment (the "Maximum Assessment") shall be increased by the greater of 5% or C.P.I. without further compliance with the assessment ballot procedures required under the Assessment Law.

SECTION 6. ASSESSMENT ENGINEER'S REPORT: The "Report" as presented, consists of the following:

- A. Description of Improvements.
- B. The Annual Budget (Costs and Expenses of Services, Operations and Maintenance)

C. The District Roll containing the Fiscal Year 2006-07 Levy for each Assessor Parcel within the District.

This City Council hereby finds the Engineer's Report to be satisfactory, approved and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

- SECTION 7. ORDERING OF MAINTENANCE: The public interest and convenience requires and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Final Assessment Engineer's Report.
- SECTION 8. FILING WITH CITY CLERK: The above-referenced diagram and assessment shall be filed in the Office of the City Clerk. Said diagram and assessment, and the certified copy thereof, shall be open for public inspection.
- SECTION 9. FILING WITH THE COUNTY AUDITOR: The City Clerk is hereby ordered and directed to immediately file a certified copy of the diagram and assessment with the County Auditor. Said filing to be made no later than the 3rd Monday in August.
- SECTION 10. ENTRY UPON THE ASSESSMENT ROLL: After the filing of the diagram and assessment, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the assessment.
- SECTION 11. COLLECTION AND PAYMENT: The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments.
- SECTION 12. FISCAL YEAR 2006-07: The assessments as above confirmed and levied for these proceedings will provide revenue to finance the maintenance of authorized improvements in the fiscal year commencing July 1, 2006 and ending June 30, 2007.

Dated: October 5, 2005

=====

I hereby certify that Resolution No. 2005-216 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 5, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Mounce, and Mayor Beckman
NOES: COUNCIL MEMBERS – None
ABSENT: COUNCIL MEMBERS – Hitchcock
ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk

CITY OF LODI

Lodi Consolidated Landscape Maintenance District No. 2003-1

Vintage Oaks – Zone 8

Interlake Square – Zone 9

Lakeshore Properties – Zone 10

Tate Property - Zone 11

Winchester Woods – Zone 12

**CERTIFICATE OF MAILING OF NOTICE OF PUBLIC HEARING AND
ASSESSMENT BALLOT PROCEDURE, PROPERTY OWNER ASSESSMENT
BALLOT AND WAIVER AND CONSENT**

I, Richard K. Clark, under penalty of perjury, certify as follows:

That for and on behalf of the City Clerk of the City of Lodi, on August 30, 2005, I caused to be mailed a Notice of Public Meeting and Public Hearing, Assessment Ballot Procedure, Property Owner Assessment Ballot and Waiver and Consent for the City of Lodi, Lodi Consolidated Landscape Maintenance District No. 2003-1, via prepaid overnight mail, to all persons or their authorized representatives owning real property proposed to be assessed, whose names and addresses appear on the last San Joaquin County equalized roll of general taxes or as are known to said City Clerk. A copy of said Notice of Public Meeting and Public Hearing, Assessment Ballot Procedure, Property Owner Assessment Ballot and Waiver and Consent is attached hereto as Exhibit "A."

Executed on August 31, 2005



NOTICE OF PUBLIC HEARING AND ASSESSMENT BALLOT PROCEDURE

CITY OF LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1 VINTAGE OAKS – ZONE 8

NOTICE IS HEREBY GIVEN that the City Council of the City of Lodi, California, has initiated proceedings to consider the annexation of territory into the City of Lodi Consolidated Landscape Maintenance District No. 2003-1 and the levy of annual assessments in such annexation, pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law") to pay for the costs and expenses of the servicing and maintaining of certain landscaping improvements. The proposed annexation has been designated as City of Lodi, "Lodi Consolidated Landscape Maintenance District No. 2003-1, Vintage Oaks - Zone 8" (the "District").

DESCRIPTION OF IMPROVEMENTS AND PROPOSED MAINTENANCE

The improvements to be serviced and maintained and the proposed service and maintenance of the improvements to be financed under these proceedings for the District is described as follows:

The improvements include: ground cover, shrubs, plants and trees, irrigation systems, insect / disease control, graffiti removal, masonry walls, and associated appurtenant facilities. The maintenance of the Improvements shall include the furnishing of services and materials for all necessary service, operations, administration and maintenance required to keep the improvements in an operational and satisfactory condition.

Reference is made to the City of Lodi, Lodi Consolidated Landscape Maintenance District No. 2003-1, Vintage Oaks - Zone 8 Engineer's Report dated as of August 2005 (the "Engineer's Report"), which is incorporated herein by this reference for a description of the Improvements to be maintained for the District. A copy of the Engineer's Report is on file in the office of the City Clerk located at 221 West Pine Street, Lodi, California and is available for inspection during normal business hours of such office.

BOUNDARIES OF DISTRICT AND ZONES

All properties that specially benefit from the maintenance are proposed to be assessed to pay a proportionate share of the costs and expenses of such maintenance. A diagram of the District, identified as "VINTAGE OAKS, ZONE 8", depicting the parcels included in the District is on file with a transcript of these proceedings. A copy of such map is on file in the office of the City Clerk.

COST OF SERVICE AND MAINTENANCE

The aggregate cost (stated in Fiscal Year 2006/2007 dollars) of the service and maintenance of the Improvements to be incurred in the Fiscal Year following the build out of development within the entire District and, therefore, the total amount which will be chargeable against the entire District following build out of the District is:

\$7,083.90

ASSESSMENTS

It is proposed that an assessment will be levied against all parcels within the District in Fiscal Year 2006/2007, which will have a special benefit conferred upon them from the Improvements to be serviced and maintained in Fiscal Year 2006/2007. The proportionate special benefit derived by each parcel shall be determined in relationship to the entirety of the cost of the service and maintenance being provided. If an assessment is proposed to be levied for Fiscal Year 2006/2007 against the property that you own within the District, the amount of such proposed assessment is set forth in the accompanying Assessment Ballot.

Adjustment in Annual Assessments for Inflation

The assessment proposed to be levied in Fiscal Year 2006/2007, set forth in the accompanying Assessment Ballot, is based upon costs stated in Fiscal Year 2006/2007 costs. Such assessments may therefore, be increased each Fiscal Year commencing Fiscal Year 2007/2008 by an amount equal to three percent (5% or C.P.I.) of the Maximum Assessment authorized to be levied from the prior year's maximum assessment.

Apportionment of Assessments

The method of apportionment of the proposed assessments is based upon the relative special benefit derived from the Improvements and conferred upon the real property within the District over and above the general benefit conferred upon the public at large. Particular and distinct special benefit arising from the Improvements includes landscaping and other facilities. A complete description of the method of apportionment is set forth in the Engineer's Report.

PUBLIC MEETING

Notice is hereby given that a Public Hearing is hereby scheduled to be held at 221 West Pine Street, Lodi, California on September 21, 2005 at 7:00 p.m.

All interested persons shall be afforded the opportunity to hear and be heard.

PUBLIC HEARING

Notice is hereby given that a Public Hearing is hereby scheduled to be held at 221 West Pine Street, Lodi, California on October 5, 2005 at 7:00 p.m.

All interested persons shall be afforded the opportunity to hear and be heard. The City Council shall consider all oral statements and all written communications made or filed by any interested persons. The City Council shall also determine whether assessment ballots submitted pursuant to the assessment law in opposition to the proposed assessments within the District exceed assessment ballots submitted in favor of such proposed assessments.

RIGHT TO SUBMIT ASSESSMENT BALLOT

Pursuant to the provisions of the Assessment Law, each record owner of property proposed to be assessed has the right to submit an assessment ballot in favor of or in opposition to the proposed assessment.

An assessment ballots is enclosed with this notice. Each such owner may complete such assessment ballot and thereby indicate their support for or opposition to the proposed assessment.

All assessment ballots **must be received** by the City Clerk at or before the conclusion of the Public Hearing.

Assessment ballots may be returned by mail in the self-addressed return envelope, which is included with the assessment ballot. If you are returning your assessment ballot by mail you must allow sufficient time to ensure that the assessment ballot is received by the City Clerk on or before 5:00 p.m. on October 5, 2005. **Please note that an assessment ballot received after the close of the Public Hearing will not be tabulated even though the postmark on the envelope transmitting the assessment ballot is dated on or before October 5, 2005.**

You may also deliver your assessment ballot to the City Clerk at 221 West Pine Street, Lodi, California prior to 5:00 p.m. on October 5, 2005. After 5:00 p.m. on October 5, 2005, you may deliver your assessment ballot to the City Clerk any time prior to the conclusion of the Public Hearing at the location of the Public Hearing given above.

PROCEEDINGS INQUIRIES

For all information relating to these proceedings and the hearing, the written protest procedure or the ballot procedure, your attention is directed to the person designated below:

RICK CLARK
NBS
32605 HIGHWAY 79 SOUTH, SUITE 100
TEMECULA, CA 92592
TELEPHONE: 800-676-7516

DATED: August 30, 2005

Susan J. Blackston
CITY CLERK
CITY OF LODI
STATE OF CALIFORNIA

CITY OF LODI
LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1
VINTAGE OAKS - ZONE 8
ASSESSMENT BALLOT PROCEDURES

INSTRUCTIONS REGARDING SUBMISSION OF ASSESSMENT BALLOTS

In order to complete and submit the enclosed assessment ballot, you must follow the following steps.

1. Review the Certificate of Entitlement. Ensure that you meet the entitlement requirements pertaining to the property identified in the assessment ballot before completing the ballot. If you do not satisfy the entitlement requirements please forward the assessment ballot to someone who does satisfy those requirements.
2. If you satisfy the entitlement requirements, sign your name in the space provided and print or type your name in space provided. **The assessment ballot shall be void and shall not be tabulated unless the person completing the assessment ballot executes the Certificate of Entitlement.**
3. To cast the assessment ballot, mark **only one** of the squares provided.
4. Fold and insert the assessment ballot into the enclosed return envelope. Seal the return envelope. All assessment ballots **must be received** by the City Clerk at or before the conclusion of the Public Hearing. Assessment ballots may be returned by mail in the self-addressed return envelope, which is included with the assessment ballot. If you are returning your assessment ballot by mail you must allow sufficient time to ensure that the assessment ballot is **received** by the City Clerk on or before 5:00 p.m. on October 5, 2005. **Please note that an assessment ballot received after the close of the Public Hearing will not be tabulated even though the postmark on the envelope transmitting the assessment ballot is dated on or before October 5, 2005.**

You may also deliver your assessment ballot to the City Clerk at the following address prior to 5:00 p.m. on October 5, 2005.

CITY CLERK
CITY OF LODI
221 WEST PINE STREET
LODI, CA 95240

After 5:00 p.m. on October 5, 2005 and at any time prior to the conclusion of the Public Hearing, you may deliver your assessment ballot to the City Clerk at the location of the Public Hearing given in the Notice of Public Hearing and Assessment Ballot Procedure.

LOST, SPOILED OR DAMAGED BALLOTS:

If you have lost, spoiled or damaged your assessment ballot, please call the telephone number set forth below for information on how you may obtain a replacement assessment ballot.

IF YOU HAVE ANY QUESTIONS REGARDING THESE INSTRUCTIONS OR THE ASSESSMENT BALLOT PROCEDURE, PLEASE CONTACT:

RICK CLARK
NBS
32605 HIGHWAY 79 SOUTH, SUITE 100
TEMECULA, CA 92592
TELEPHONE: 800-676-7516

CITY OF LODI
LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1

INSTRUCTIONS REGARDING THE WAIVER OF 45 DAY NOTICE PERIOD

In order to complete and submit the enclosed waiver, you must follow the following steps:

1. Review the Certificate of Entitlement. Ensure that you meet the entitlement requirements pertaining to the property identified in the assessment ballot before completing the waiver.
2. If you satisfy the entitlement requirements, sign your name in the space provided and print or type your name in space provided.
3. Return the waiver to the City of Lodi by one of the following two methods: 1) Via U.S. mail to: Office of the City Clerk, P.O. Box 3006, Lodi, California 95240, or 2) Via hand delivery to: Office of the City Clerk, 221 W. Pine Street, Lodi, California 95240.

DO NOT RETURN THE WAIVER IN THE ASSESSMENT BALLOT ENVELOPE WITH THE ASSESSMENT BALLOT! PLEASE USE THE 45 DAY NOTICE WAIVER ENVELOPE PROVIDED.

4. The waiver **must be received** by the City Clerk by 5:00 p.m. on October 5, 2005.

PLEASE NOTE THAT A WAIVER RECEIVED AFTER 5:00 P.M. ON OCTOBER 5, 2005 WILL RESULT IN THE ASSESSMENT BALLOTING PROCEDURE BEING INVALIDATED. THIS WILL CAUSE A SUBSTANTIAL DELAY IN THE FORMATION/ANNEXATION PROCESS, AND COULD RESULT IN AN INCREASED FEE TO COMPLETE THE PROCESS.

LOST, SPOILED OR DAMAGED WAIVERS:

If you have lost, spoiled or damaged your waiver, please call the Secretary of the District at the telephone number set forth below for information on how you may obtain a replacement.

IF YOU HAVE ANY QUESTIONS REGARDING THESE INSTRUCTIONS OR THE ASSESSMENT BALLOT PROCEDURE, PLEASE CONTACT:

RICK CLARK
NBS
32605 HIGHWAY 79 SOUTH, SUITE 100
TEMECULA, CA 92592
TELEPHONE: 800-676-7516

WAIVER OF 45 DAY NOTICE PERIOD

**CITY OF LODI
LODI CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1
VINTAGE OAKS - ZONE 8**

The purpose of this waiver is the public declaration of waiver of the 45 day notice period for the Lodi Consolidated Landscape Maintenance District No. 2003-1, Vintage Oaks (Zone 8). The undersigned landowner does hereby waive the notice requirements of Proposition 218 (California Constitution Articles XIII C and XIII D), the Proposition 218 Omnibus Implementation Act (Government Code Section 53750, et sec) and the Landscaping and Lighting Act of 1972 (Streets and Highways Code Section 22500, et sec).

The undersigned landowner certifies that he or she owns 100% of the assessable land contained within the district boundary.

The person completing and submitting this waiver must be the record owner of the property or the representative of the record owner of such property who is legally authorized to complete and submit this waiver for and on behalf of the record owner.

CERTIFICATE OF ENTITLEMENT

The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this waiver.

Signature of Property Owner

Printed Name

Date

OFFICIAL ASSESSMENT BALLOT

CITY OF LODI

LODI CONSOLIDATED LMD NO. 2003-1 VINTAGE OAKS - ZONE 8

Parcel Identification:

APN: 058-230-03
Total EU: 15
Total Assessment: \$6,250.50

Name and address of record owner:

VINTAGE OAKS L.P.
P.O. BOX 1598
LODI, CA 95241

Proposed Assessment:

Annual Assessment for each parcel for Fiscal Year 2006/07: Not to Exceed \$416.70 per parcel.
Aggregate Maximum FY 2006/07 Assessment for all parcels after build out:: \$7,083.90 per EU
Assessment subject to an escalator of the greater of 5% or C.P.I., per year beginning in Fiscal Year 2007/08

Assessment Ballot:

Please select and mark one box below and one box only.

This ballot will be void if any markings are in both boxes.

The person completing and submitting this assessment ballot must be the record owner of the property identified above or the representative of the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner; **otherwise this ballot will not be tabulated.**

☐

**IN FAVOR OF
ASSESSMENT**

**OPPOSE
ASSESSMENT**

☐
CERTIFICATE OF ENTITLEMENT

The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this assessment ballot.

Signature of Property Owner

Printed Name

Fold and insert the completed ballot into the enclosed return envelope, seal, and mail or deliver to the address shown on the return envelope. **Please refer to the enclosed instructions for further detail.**

OFFICIAL ASSESSMENT BALLOT**CITY OF LODI****LODI CONSOLIDATED LMD NO. 2003-1****VINTAGE OAKS - ZONE 8****Parcel Identification:**

APN: 058-230-05

Total EU: 2

Total Assessment: \$833.40

Name and address of record owner:JOHN D. & BARBARA A. GERLACK TRS
101 N. LOMA DRIVE
LODI, CA 95242**Proposed Assessment:**

Annual Assessment for each parcel for Fiscal Year 2006/07: Not to Exceed \$416.70 per parcel.
Aggregate Maximum FY 2006/07 Assessment for all parcels after build out: \$7,083.90 per EU
Assessment subject to an escalator of the greater of 5% or C.P.I., per year beginning in Fiscal Year 2007/08

Assessment Ballot:**Please select and mark one box below and one box only.****This ballot will be void if any markings are in both boxes.**

The person completing and submitting this assessment ballot must be the record owner of the property identified above or the representative of the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner; **otherwise this ballot will not be tabulated.**

☐**IN FAVOR OF
ASSESSMENT****OPPOSE
ASSESSMENT**☐***CERTIFICATE OF ENTITLEMENT***

The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this assessment ballot.

Signature of Property Owner_____
Printed Name

Fold and insert the completed ballot into the enclosed return envelope, seal, and mail or deliver to the address shown on the return envelope. **Please refer to the enclosed instructions for further detail.**

OFFICIAL ASSESSMENT BALLOT**CITY OF LODI****LODI CONSOLIDATED LMD NO. 2003-1
INTERLAKE SQUARE - ZONE 9****Parcel Identification:**

APN: 045-260-07

Total EU: 11

Total Assessment: \$2,181.96

Name and address of record owner:CLUFF LLC
ATTN: RICHARD HANSON
908 TURNER ROAD
LODI, CA 95242**Proposed Assessment:**

Annual Assessment for each parcel for Fiscal Year 2006/07: Not to Exceed \$198.36 per parcel.
Aggregate Maximum FY 2006/07 Assessment for all parcels after build out: \$2,181.96 per EU
Assessment subject to an escalator of the greater of 5% or C.P.I., per year beginning in Fiscal Year 2007/08

Assessment Ballot:**Please select and mark one box below and one box only.****This ballot will be void if any markings are in both boxes.**

The person completing and submitting this assessment ballot must be the record owner of the property identified above or the representative of the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner; **otherwise this ballot will not be tabulated.**

☐**IN FAVOR OF
ASSESSMENT****OPPOSE
ASSESSMENT**☐***CERTIFICATE OF ENTITLEMENT***

The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this assessment ballot.

Signature of Property Owner_____
Printed Name

Fold and insert the completed ballot into the enclosed return envelope, seal, and mail or deliver to the address shown on the return envelope. **Please refer to the enclosed instructions for further detail.**

OFFICIAL ASSESSMENT BALLOT

CITY OF LODI

LODI CONSOLIDATED LMD NO. 2003-1

LAKE SHORE PROPERTIES - ZONE 10

Parcel Identification:

APN: portion of 031-040-42
 Total EU: 7
 Total Assessment: \$1,156.92

Name and address of record owner:

DAVID S. & SANDRA W. WILSON
 14428 BIG BASIN WAY #A
 SARATOGA, CA 95070

Proposed Assessment:

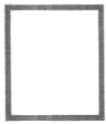
Annual Assessment for each parcel for Fiscal Year 2006/07: Not to Exceed \$166.56 per parcel.
 Aggregate Maximum FY 2006/07 Assessment for all parcels after build out: \$1,165.92 per EU
 Assessment subject to an escalator of the greater of 5% or C.P.I., per year beginning in Fiscal Year 2007/08

Assessment Ballot:

Please select and mark one box below and one box only.

This ballot will be void if any markings are in both boxes.

The person completing and submitting this assessment ballot must be the record owner of the property identified above or the representative of the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner; **otherwise this ballot will not be tabulated.**



**IN FAVOR OF
ASSESSMENT**

**OPPOSE
ASSESSMENT**

***CERTIFICATE OF ENTITLEMENT***

The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this assessment ballot.

 Signature of Property Owner

 Printed Name

Fold and insert the completed ballot into the enclosed return envelope, seal, and mail or deliver to the address shown on the return envelope. **Please refer to the enclosed instructions for further detail.**

OFFICIAL ASSESSMENT BALLOT

CITY OF LODI

LODI CONSOLIDATED LMD NO. 2003-1

TATE PROPERTY - ZONE 11

Parcel Identification:

APN: 058-230-14

Total EU: 7

Total Assessment: \$1,732.92

Name and address of record owner:

KENNETH TATE JR.
2139 W. HARNEY LANE
LODI, CA 95242

Proposed Assessment:

Annual Assessment for each parcel for Fiscal Year 2006/07: Not to Exceed \$247.56 per parcel.
Aggregate Maximum FY 2006/07 Assessment for all parcels after build out: \$1,732.92 per EU
Assessment subject to an escalator of the greater of 5% or C.P.I., per year beginning in Fiscal Year 2007/08

Assessment Ballot:

Please select and mark one box below and one box only.

This ballot will be void if any markings are in both boxes.

The person completing and submitting this assessment ballot must be the record owner of the property identified above or the representative of the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner; **otherwise this ballot will not be tabulated.**

☐

**IN FAVOR OF
ASSESSMENT**

**OPPOSE
ASSESSMENT**

☐***CERTIFICATE OF ENTITLEMENT***

The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this assessment ballot.

Signature of Property Owner

Printed Name

Fold and insert the completed ballot into the enclosed return envelope, seal, and mail or deliver to the address shown on the return envelope. **Please refer to the enclosed instructions for further detail.**

OFFICIAL ASSESSMENT BALLOT

CITY OF LODI

LODI CONSOLIDATED LMD NO. 2003-1 WINCHESTER WOODS - ZONE 12

Parcel Identification:

APN: portion of 060-220-28

Total EU: 8
Total Assessment: \$1,169.92

Name and address of record owner:

WINCHESTER WOODS LLC
ATTN: WAYNE CRAIG
2424 COCHRAN ROAD #1
LODI, CA 95242

Proposed Assessment:

Annual Assessment for each parcel for Fiscal Year 2006/07: Not to Exceed \$146.24 per parcel.
Aggregate Maximum FY 2006/07 Assessment for all parcels after build out: \$1,169.92 per EU
Assessment subject to an escalator of the greater of 5% or C.P.I., per year beginning in Fiscal Year 2007/08

Assessment Ballot:

Please select and mark one box below and one box only.

This ballot will be void if any markings are in both boxes.

The person completing and submitting this assessment ballot must be the record owner of the property identified above or the representative of the record owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the record owner; **otherwise this ballot will not be tabulated.**

☐

**IN FAVOR OF
ASSESSMENT**

**OPPOSE
ASSESSMENT**

☐
CERTIFICATE OF ENTITLEMENT

The undersigned certifies under penalty of perjury that he/she is entitled to complete and submit this assessment ballot.

Signature of Property Owner

Printed Name

Fold and insert the completed ballot into the enclosed return envelope, seal, and mail or deliver to the address shown on the return envelope. **Please refer to the enclosed instructions for further detail.**



DECLARATION OF POSTING

**RESOLUTION/NOTICE OF PUBLIC HEARING DECLARING INTENTION FOR LEVY
AND COLLECTION OF ASSESSMENTS FOR THE LODI CONSOLIDATED
LANDSCAPE MAINTENANCE DISTRICT NO. 2003-1 AND TO PROVIDE FOR THE
LEVY AND COLLECTION OF ASSESSMENTS IN SUCH ANNEXATION, SETTING A
TIME AND PLACE FOR A PUBLIC HEARING THEREON, AND ORDERING THE
INITIATION OF ASSESSMENT BALLOT PROCEDURES**

On Friday, September 2, 2005, in the City of Lodi, San Joaquin County, California, a copy of a resolution and notice of public hearing declaring intention for levy and collection of assessments for the Lodi Consolidated Landscape Maintenance District No. 2003-1, (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 2, 2005, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK



JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

DANA CHAPMAN
ADMINISTRATIVE CLERK

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

September 3rd

all in the year 2005.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 3rd day of September, 2005

Signature

RECEIVED

This space is for the County Clerk's Filing Stamp

2005 SEP 28 PM 3:55

CITY CLERK
CITY OF LODI

Proof of Publication of
Resolution No. 2005-167

(attached)

8502171

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2005-167

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI, COUNTY OF SAN JOAQUIN, DECLARING ITS INTENTION TO ANNEX TERRITORY INTO THE LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 2003-1 AND TO PROVIDE FOR THE LEVY AND COLLECTION OF ASSESSMENTS IN SUCH ANNEXATION, SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON, AND ORDERING THE INITIATION OF ASSESSMENT BALLOT PROCEDURES

WHEREAS, the City Council of the City of Lodi, pursuant to the terms of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code

(commencing with Section 22500) (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law"), did, by Resolution No. 2005-168, initiate proceedings to annex certain territory into a special assessment district and ordered the preparation of an Engineer's Report for the levy of assessments within such proposed annexation, such special assessment district annexation known and designated as the "Lodi Consolidated Landscape Maintenance Assessment District No. 2003-1" (the "District"). The areas proposed to be annexed will become Zones within the District. Such Zones shall be known and designated as:

ZONE 8 - VINTAGE OAKS

ZONE 9 - INTERLAKE SQUARE

ZONE 10 - LAKESHORE PROPERTIES

ZONE 11 - TATE PROPERTY

ZONE 12 - WINCHESTER WOODS

WHEREAS, at this time the City Council desires to declare its intention to annex such territory into the District and to provide for the levy of assessments for the next ensuing fiscal year to provide for the costs and expenses necessary to pay for the maintenance of the Improvements (defined below) in such District; and

WHEREAS, there has been presented and preliminarily approved by this City Council the Engineer's Report, as required by the Assessment Law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1 Recitals: The above recitals are all true and correct.

SECTION 2 Declaration of Intention: The public interest and convenience requires, and it is the intention of the City Council, to order the annexation of the above described territory into the District and to levy and collect assessments to pay the annual costs and expenses for the maintenance and/or servicing of all of the Improvements for the District. Such Improvements and the maintenance and servicing of such Improvements are generally described as:

The improvements include: masonry walls, ground cover, shrubs, plants and trees, irrigation systems, insect/disease control, graffiti removal, and associated appurtenant facilities.

The maintenance of the Improvements shall include the furnishing of services and materials for all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.

SECTION 3 Boundaries of District: The Improvements are of special benefit to the properties within the boundaries of the District. The City Council previously declared the boundaries to encompass the area specially benefited by such Improvements, and for particulars, reference is made to the assessment diagram as previously approved by the City Council, a copy of which is on file in the Office of the City Clerk and open for public inspection, and is designated by the name of this District.

SECTION 4 Report of Assessment Engineer: The Engineer's Report, as preliminarily approved by the City Council is on file with the City Clerk and open for public inspection. Reference is made to such Report for a full and detailed description of the Improvements to be maintained, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

SECTION 5 Public Meeting and Public Hearing: Notice is hereby given that a Public Meeting is hereby scheduled to be held at 305 West Pine Street, Lodi, California, on September 21, 2005, at 7:00 p.m.

All interested persons shall be afforded the opportunity to hear and be heard. The City Council shall consider all oral statements and all written communications made or filed by any interested persons.

Notice is hereby given that a Public Hearing is hereby scheduled to be held at 305 West Pine Street, Lodi, California, on October 5, 2005, at 7:00 p.m.

All interested persons shall be afforded the opportunity to hear and be heard. The City Council shall consider all oral statements and all written communications made or filed by any interested persons. The City Council shall, at the conclusion of the Public Hearing, also determine whether assessment ballots submitted pursuant to the Assessment Law in opposition to the proposed assessments within the District exceed assessment ballots submitted in favor of such proposed assessments.

RIGHT TO SUBMIT ASSESSMENT BALLOT

Pursuant to the provisions of the Assessment Law, each record owner of property proposed to be assessed has the right to submit an assessment ballot in favor of or in opposition to the proposed assessment.

Assessment ballots will be mailed to the record owner of each parcel located within the District and subject to a proposed assessment. Each such owner may complete such assessment ballot and thereby indicate their support for or opposition to the proposed assessment. All such assessment ballots may be delivered by mail or personal delivery to the City Clerk at the following address at or before 5:00 p.m. on October 5, 2005:
City Clerk
City of Lodi
221 West Pine Street
Lodi, California 95240

After 5:00 p.m. on October 5, 2005, assessment ballots may be delivered to the City Clerk only at the location of the Public Hearing given above (305 W. Pine Street, Lodi, CA).

All assessment ballots must be received by the City Clerk prior to the time that the Public Hearing is closed. An assessment ballot which is delivered by mail with a postmark, which is prior to the date and time of the Public Hearing but which is not received by the City Clerk until after the Public Hearing is closed, will not be counted.

At the conclusion of the Public Hearing, the City Council shall cause the assessment ballots timely received to be tabulated. If a majority protest exists, the City Council shall not impose an assessment within the District. A majority protest exists if, upon the conclusion of the Public Hearing, assessment ballots submitted in opposition to the assessments within the District exceed the assessment ballots submitted in favor of such assessments. In tabulating the assessment ballots, the assessment ballots shall be weighted according to the proportional financial obligation of the affected property.

SECTION 6 Notice: The City Clerk is hereby directed to mail notice pursuant to the Assessment Law of the Public Hearing and assessment ballot proceedings and the adoption of the Resolution of Intention and of the filing of the Assessment Engineer's Report, together with the assessment ballot materials, to the record owners of all real property proposed to be assessed.

SECTION 7 Proceedings Inquiries: The following staff person is designated to respond to all inquiries for any and all information relating to the proposed District and these proceedings, including the assessment ballot procedure:

RICK CLARK, NBS
41661 ENTERPRISE CIRCLE N.
#225
TEMECULA, CA 92590
TELEPHONE: 800-676-7516
Dated: August 17, 2005

I hereby certify that Resolution No. 2005-167 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 2005, by the following vote:

AYES:
COUNCIL MEMBERS - Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

SUSAN J. BLACKSTON
City Clerk
September 3, 2005 - 8502171

**CITY CLERK'S CERTIFICATE
RE: ASSESSMENT BALLOTS**

VINTAGE OAKS – ZONE 8
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1

I, SUSAN J. BLACKSTON, City Clerk of the City of Lodi hereby certify:

City Clerk staff have personally received and assembled all assessment ballots returned by mail or delivered in person to be cast in the special assessment mailed ballot procedure called by the City Council in its Resolution No. 2005-167 and in accordance with my instructions contained in that Resolution, I hereby declare the balloting closed.

At the conclusion of the Public hearing on October 5, 2005, I opened and tabulated the assessment ballots and certify the result of that tabulation to be as follows:

TOTAL ASSESSMENT BALLOTS CAST	YES:	\$ 7,083.90
TOTAL ASSESSMENT BALLOTS CAST	NO:	\$ - 0 -
TOTAL ASSESSMENT BALLOTS CAST		\$ 7,083.90

THE ASSESSMENT BALLOTS CAST "YES" equal
100% OF THE TOTAL ASSESSMENT BALLOTS CAST.

I make this Certification on October 5, 2005


SUSAN J. BLACKSTON
LODI CITY CLERK

**CITY CLERK'S CERTIFICATE
RE: ASSESSMENT BALLOTS**

**INTERLAKE SQUARE – ZONE 9
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1**

I, SUSAN J. BLACKSTON, City Clerk of the City of Lodi hereby certify:
City Clerk staff have personally received and assembled all assessment ballots
returned by mail or delivered in person to be cast in the special assessment
mailed ballot procedure called by the City Council in its Resolution No. 2005-167
and in accordance with my instructions contained in that Resolution, I hereby
declare the balloting closed.

At the conclusion of the Public hearing on October 5, 2005, I opened and
tabulated the assessment ballots and certify the result of that tabulation to be as
follows:

TOTAL ASSESSMENT BALLOTS CAST	YES:	\$ 2,181.96
TOTAL ASSESSMENT BALLOTS CAST	NO:	\$ - 0 -
TOTAL ASSESSMENT BALLOTS CAST		\$ 2,181.96

THE ASSESSMENT BALLOTS CAST "YES" equal
100% OF THE TOTAL ASSESSMENT BALLOTS CAST.

I make this Certification on October 5, 2005


SUSAN J. BLACKSTON
LODI CITY CLERK

**CITY CLERK'S CERTIFICATE
RE: ASSESSMENT BALLOTS**

LAKESHORE PROPERTIES – ZONE 10
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1

I, SUSAN J. BLACKSTON, City Clerk of the City of Lodi hereby certify:

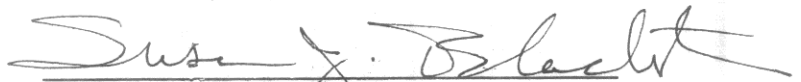
City Clerk staff have personally received and assembled all assessment ballots returned by mail or delivered in person to be cast in the special assessment mailed ballot procedure called by the City Council in its Resolution No. 2005-167 and in accordance with my instructions contained in that Resolution, I hereby declare the balloting closed.

At the conclusion of the Public hearing on October 5, 2005, I opened and tabulated the assessment ballots and certify the result of that tabulation to be as follows:

TOTAL ASSESSMENT BALLOTS CAST	YES:	\$ 1,156.92
TOTAL ASSESSMENT BALLOTS CAST	NO:	\$ - 0 -
TOTAL ASSESSMENT BALLOTS CAST		\$ 1,156.92

THE ASSESSMENT BALLOTS CAST "YES" equal
100% OF THE TOTAL ASSESSMENT BALLOTS CAST.

I make this Certification on October 5, 2005


SUSAN J. BLACKSTON
LODI CITY CLERK

**CITY CLERK'S CERTIFICATE
RE: ASSESSMENT BALLOTS**

TATE PROPERTY – ZONE 11
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1

I, SUSAN J. BLACKSTON, City Clerk of the City of Lodi hereby certify:

City Clerk staff have personally received and assembled all assessment ballots returned by mail or delivered in person to be cast in the special assessment mailed ballot procedure called by the City Council in its Resolution No. 2005-167 and in accordance with my instructions contained in that Resolution, I hereby declare the balloting closed.

At the conclusion of the Public hearing on October 5, 2005, I opened and tabulated the assessment ballots and certify the result of that tabulation to be as follows:

TOTAL ASSESSMENT BALLOTS CAST	YES:	\$ 1,732.92
TOTAL ASSESSMENT BALLOTS CAST	NO:	\$ - 0 -
TOTAL ASSESSMENT BALLOTS CAST		\$ 1,732.92

THE ASSESSMENT BALLOTS CAST "YES" equal
100% OF THE TOTAL ASSESSMENT BALLOTS CAST.

I make this Certification on October 5, 2005


SUSAN J. BLACKSTON
LODI CITY CLERK

**CITY CLERK'S CERTIFICATE
RE: ASSESSMENT BALLOTS**

**WINCHESTER WOODS – ZONE 12
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 2003-1**

I, SUSAN J. BLACKSTON, City Clerk of the City of Lodi hereby certify:
City Clerk staff have personally received and assembled all assessment ballots
returned by mail or delivered in person to be cast in the special assessment
mailed ballot procedure called by the City Council in its Resolution No. 2005-167
and in accordance with my instructions contained in that Resolution, I hereby
declare the balloting closed.

At the conclusion of the Public hearing on October 5, 2005, I opened and
tabulated the assessment ballots and certify the result of that tabulation to be as
follows:

TOTAL ASSESSMENT BALLOTS CAST	YES:	\$ 1,169.92
TOTAL ASSESSMENT BALLOTS CAST	NO:	\$ - 0 -
TOTAL ASSESSMENT BALLOTS CAST		\$ 1,169.92

THE ASSESSMENT BALLOTS CAST "YES" equal
100% OF THE TOTAL ASSESSMENT BALLOTS CAST.

I make this Certification on October 5, 2005


SUSAN J. BLACKSTON
LODI CITY CLERK